REMARKS

Claims 1-45 are currently pending in the subject application and are presently under consideration. Favorable consideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-8, 27-28, 32, 38-39 and 42-45 Under 35 U.S.C. §102(e)

Claims 1-8, 27-28, 32, 38-39 and 42-45 stand rejected under 35 U.S.C. §102(e) as being anticipated by Isreal *et al.* (US 6,330,007). Withdrawal of this rejection is requested for at least the following reasons. Isreal *et al.* fails to teach or suggest each and every limitation set forth in the subject claims.

> A single prior art reference anticipates a patent claim only if it ***expressly or inherently describes each and every limitation set forth in the patent claim***. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention ***must be shown in as complete detail as is contained in the ... claim***. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

i. Independent Claims 1, 27, 32, 38, 42 and 44

The invention as claimed is directed towards mitigation of pixilation and/or disproportionate appearance of themed images when images are sized and/or scaled. Independent claims 1, 27, 32, 38, 42 and 44 recite ***a sizing module adapted to size a first component in response to the sizing input; and an alignment module adapted to align a second component within the sized first component.*** The claimed invention therefore relates to a system and method for sizing and resizing, and aligning *user interface elements* based upon supplied sizing information in order to mitigate pixilation and/or the disproportionate appearance of themed images when the images are sized and/or scaled. Thus, the claimed invention utilizes a sizing module to size a first component user interface element according to supplied sizing information, and an alignment module to align a second component user interface element within the previously sized first component user interface element. Isreal *et al.* does not teach or

suggest these novel aspects of applicants' claimed invention.

Rather, Isreal *et al.* discloses a tool for designing a graphical user interface, and in particular, a prototyping and specification tool for designing dynamic user interaction screens including user input area, forms, pick lists, electronic receipts, and screen-labeled keys. *See*, col. 1, lines 5-10. The Examiner maintains that Isreal *et al.* provides a sizing module to size a first component in response to the sizing input, and an alignment module adapted to align a second component within the sized first component, at col. 15, lines 10-25, which states:

> Check Box allows designation of whether the selected column is visible in the grid. The Alignment Dropdown List allows selection of an alignment setting (left, centered, or right) for the selected column. The Width Text Box allows entry of an exact numeric width for the selected column. Selecting the Adjust Button adjusts the width of the next-to-last visible column so that the last visible column is right-aligned with the right edge of the grid. The Column Heading Text Box allows entry of heading for the selected column. The Settings for Row Spin Box allows selection of a grid row to edit properties for [*sic*]. The Valid Check Box allows designation of whether the selected row is valid (enabled) in the grid on the user screen. An invalid row cannot be selected (highlighted) by the end user. (reference numerals omitted).

However, as is evident from the passage-cited above, and to which the Examiner directed applicants representative, Isreal *et al.* fails to teach or suggest the utilization of a ***sizing module adapted to size a first component in response to the sizing input***, and thereupon the use of ***an alignment module adapted to align a second component with the sized first component*** as in applicants' claimed invention. It would appear that Isreal *et al.* suggests an approach for the creation of forms for use by subsequent users, wherein the user, *enters electronic receipt data* into a grid with five columns and an unlimited number of grid rows, and thereafter *edits the entered electronic receipt data*. *See*, col. 14, lines 56-58. In contrast, the invention as claimed sizes a first user interface component element in response to sizing input, and subsequently aligns a second user interface component within the sized and/or scaled first user interface component element through the alignment module. Thus, it is apparent that Isreal *et al.* fails to teach or suggest any

of the limitations set forth in the subject claims, let alone each and every limitation as recited in the subject claims. Accordingly, it is submitted that this rejection should be withdrawn with respect to independent claims 1, 27, 32, 38, 42 and 44 (and claims that depend there from).

ii. ***Independent Claims 4 and 7***

Applicants' claimed invention as stated *supra*, relates to the mitigation of pixilation and/or the disproportionate appearance of themed images when the themed images are sized and/or scaled. In addition to the aforementioned limitations regarding claims 1, 27, 32, 38, 42 and 44, independent claims 4 and 7 also recite: ***dividing a bitmapped first component into a plurality of grids***. The invention as claimed accomplishes mitigation of pixilation and/or the disproportionate appearance of themed images when the images are sized and/or scaled by dividing a bitmapped first user interface element component into a plurality of grids. The plurality of grids into which the first user interface element component is divided is then utilized to either expand or compress the bitmapped first user interface element component according to a received sizing input. Nowhere in Isreal *et al.* is such a novel facility presented or suggested.

The Examiner, nevertheless contends that support for the limitation recited in independent claims 4 and 7, i.e. ***dividing a bitmapped first component into a plurality of grids***, may be found at col. 7, lines 25-35 of Isreal *et al.* Col. 7, lines 25-35, states:

> ... and provides access to the prototyping and specification graphical user interface.
> Setup screen dialog box screen allows the user to open an existing database, create a new database, and designate the locations of bitmap director [*sic*] folders.
> Bitmap Directories Selection screen allows the user to designate a folder that contains a particular type of bitmap (the type that is highlighted in the Setup dialog box screen) user by the application.
> User Screen displays and allows interaction with the current screen in the application being prototyped/specified ... . (reference numerals omitted).

As is evident from the cited passage above, Isreal *et al.* fails to teach or suggest

dividing a bitmapped first component into a plurality of grids. Moreover, and as has been discussed *supra*, in context of independent claims 1, 27, 32, 38, 42 and 44, Isreal *et al.* fails to teach or suggest sizing and/or scaling a first user interface element component based on received sizing input, and thereafter aligning a second user interface element component within the sized and/or scaled first user interface element component as is further recited in the subject claims. Thus, in view of at least the foregoing, it is submitted that this rejection should be withdrawn with respect to independent claims 4 and 7 and associated dependent claims.

II. Rejection of Claims 9, 16, 18 and 22 Under 35 U.S.C. §102(b)

Claims 9, 16, 18 and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Higgins *et al.* (US 5,477,241). This rejection should be withdrawn for at least the following reasons. Higgins *et al.* is silent regarding each and every limitation set forth in the subject claims.

Independent claims 9, 16, 18 and 22 recite similar limitations, namely: ***a sizing module adapted to size the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under***. It is evident that the invention as claimed utilizes a sizing module to size a bitmapped user interface element component based upon sizing input and a ***functional relationship*** that exists between the ***DPI of the context*** of the user interface element component that the component ***is to be rendered to***, and the ***DPI under which*** the user interface element component ***was designed under***. Higgins *et al.* is silent regarding this novel feature of the claimed invention.

Higgins *et al.* discloses a mechanism for adjusting selected *video display* characteristics in a computer system. Higgins *et al.* in particular appears to teach a mechanism for controlling the number of pixels that are to be displayed on a video screen per inch of printed output. *See*, Abstract. The Examiner indicates that col. 4, lines 15-35 provides the necessary substantiation to base the rejection of the subject claims. Col 4, lines 15-35 however, states:

> The application program based icon interface portion of the present invention may be stored in the program manager window of Windows. The utility window that contains the utilities of the present invention is referred to as the Anyview™ utility window in the drawings. As seen in FIG. 2, the utility window has a multiplicity of icons therein that can be selected by the user. By way of example, the utility window may include a plurality of screen resolution icons, a plurality of color depth icons, a zoom icon, a virtual desktop icon, a DPI calibration icon, a bird's eye view icon, and other icons which permit the user to control the video display in other manners. The function and operation of the utilities represented by the screen resolution icons, the color depth icons, the zoom icon, the virtual desktop icon and the bird's eye view icon are described in applicant's co-pending application Ser. No. 08/023,945 filed Feb. 26, 1993, now U.S. Pat. No. 5,420,605, which is incorporated herein by reference. (reference numerals omitted).

Nowhere in the above-cited paragraph, is a sizing module capable of resizing a ***bitmapped component*** in relation to the ***DPI of the context*** that the user interface element component is to be rendered to, while simultaneously accounting for both the conditions under which the user interface element component was created and in response to sizing input, thereby mitigating pixilation and the disproportionate appearance of the resized and/or scaled elements, disclosed. Thus, it is submitted Higgins *et al.* fails to teach or suggest each and every element recited in the subject claims, and accordingly it is requested that this rejection with respect to independent claims 9, 16, 18 and 22 (and claims that depend there from) should be withdrawn.

III. Rejection of Claims 10-15, 17, 19-21 and 23-26 Under 35 U.S.C. §103(a)

Claims 10-15, 17, 19-21 and 23-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Higgins *et al.* (US 5,477,241) as applied to claims 9, 16, 18 and 22, and further in view of Isreal *et al.* (US 6,330,007). This rejection should be withdrawn for at least the following reason. Claims 10-15, 17, 19-21 and 23-26 depend from independent claims 9, 16, 18 and 22 respectively, and Isreal *et al.* fails to rectify the aforementioned deficiencies presented by Higgins *et al.* with respect to independent claims 9, 16, 18 and 22, as discussed above. Thus, it is respectfully submitted that claims 10-15, 17, 19-21 and 23-26 are in condition for allowance and that this rejection should

be withdrawn.

IV. Rejection of Claims 29-31, 33-35, 37 and 40-41 Under 35 U.S.C. §103(a)

Claims 29-31, 33-35, 37 and 40-41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Isreal *et al.* (US 6,330,007) as applied to claims 27, 32 and 38, and further in view of Higgins *et al.* (US 5,477,241). It is respectfully requested that this rejection be withdrawn for at least the following reason. Claims 29-31, 33-35, 37 and 40-41 depend from independent claims 27, 32 and 38, and Higgins *et al.* as discussed *supra*, fails to make up for the deficiencies presented by Isreal *et al.* with respect to the independent claims from which the subject claims depend. Accordingly, the subject claims are believed to be in condition for allowance, and that this rejection should be reversed.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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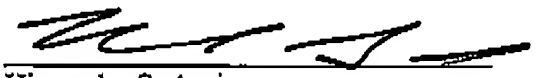

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